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3 FAIR POLITICAL PRACTICES COMMISSION
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8 BEFORE THE FAIR POLITICAL PRACTICES COMMISSION
9 STATE OF CALIFORNIA
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12 In the Matter of)	FPPC No.: 03/496
)	
)	
13)	
14 BEAZER HOMES USA, INC.,)	STIPULATION, DECISION and
)	ORDER
)	
15)	
)	
16 Respondent.)	
)	

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18 Complainant Mark Krausse, Executive Director of the Fair Political Practices Commission, and
19 Respondent Beazer Homes USA, Inc. hereby agree that this stipulation will be submitted for
20 consideration by the Fair Political Practices Commission at its next regularly scheduled meeting.

21 The parties agree to enter into this stipulation to resolve all factual and legal issues raised in this
22 matter, and to reach a final disposition without the necessity of holding an administrative hearing to
23 determine the liability of Respondent.

24 Respondent understands, and hereby knowingly and voluntarily waives, any and all procedural
25 rights set forth in sections 83115.5, 11503 and 11523 of the Government Code, and in section 18361 of
26 Title 2 of the California Code of Regulations. This includes, but is not limited to, the right to personally
27 appear at any administrative hearing held in this matter, to be represented by an attorney at
28 Respondent's own expense, to confront and cross-examine all witnesses testifying at the hearing, to

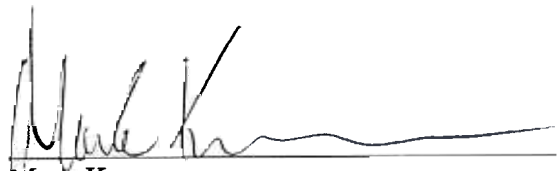
subpoena witnesses to testify at the hearing, to have an impartial administrative law judge preside over the hearing as a hearing officer, and to have the matter judicially reviewed.

It is further stipulated and agreed that Respondent Beazer Homes USA, Inc. violated the Political Reform Act by failing to timely file a semi-annual campaign statement, in violation of section 84200, subdivision (b) of the Government Code (1 count), and by failing to timely file a semi-annual campaign statement electronically, in violation of section 84605, subdivision (a) of the Government Code (1 count), as described in Exhibit 1. Exhibit 1 is attached hereto and incorporated by reference as though fully set forth herein. Exhibit 1 is a true and accurate summary of the facts in this matter.

Respondent agrees to the issuance of the decision and order, which is attached hereto. Respondent also agrees to the Commission imposing upon it an administrative penalty in the amount of Six Thousand Dollars (\$6,000). A cashier's check from Respondent in said amount, made payable to the "General Fund of the State of California," is submitted with this stipulation as full payment of the administrative penalty, to be held by the State of California until the Commission issues its decision and order regarding this matter. The parties agree that in the event the Commission refuses to accept this stipulation, it shall become null and void, and within fifteen (15) business days after the Commission meeting at which the stipulation is rejected, all payments tendered by Respondent in connection with this stipulation shall be reimbursed to Respondent. Respondent further stipulates and agrees that in the event the Commission rejects the stipulation, and a full evidentiary hearing before the Commission becomes necessary, neither any member of the Commission, nor the Executive Director, shall be disqualified because of prior consideration of this stipulation.


Dated

10/22/03


Mark Krausse
Executive Director
Fair Political Practices Commission

Dated:

9/29/03


Beazer Homes USA, Inc., Respondent
By C. LOWELL BALL, S.V.P. - GENERAL COUNSEL
(Type or print name here)

1 **DECISION AND ORDER**

2 The foregoing stipulation of the parties “In the Matter of Beazer Homes USA, Inc., FPPC No.
3 03/496,” including all attached exhibits, is hereby accepted as the final decision and order of the Fair
4 Political Practices Commission, effective upon execution below by the Chairman.

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6 IT IS SO ORDERED.

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8 Dated: _____

9 Liane M. Randolph, Chairman
10 Fair Political Practices Commission
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